

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MATTHEW NEISLER,

Petitioner,

-VS-

Case No. 13-C-826

**WILLIAM POLLARD,
Warden, Waupun Correctional Institution,¹**

Respondent.

DECISION AND ORDER

Matthew Neisler requests leave to proceed *in forma pauperis* in connection with this action under 28 U.S.C. § 2254. The filing fee for a § 2254 petition is only \$5.00, an amount Neisler can easily afford given the financial information disclosed in his affidavit and prison trust account statement. Therefore, Neisler must pay the filing fee before this matter can proceed any further. His motion to proceed IFP [ECF No. 2] is **DENIED**.

Also, Neisler's petition is not on the correct form. Civil L.R. 9(a)(1) (E.D. Wis.). The Clerk of Court will send Neisler a copy of the correct form and the accompanying instructions. Neisler must pay the filing fee and re-file his petition on the correct form within **thirty (30) days** of the date of this Order.

¹ The Clerk of Court is directed amend the caption to reflect that William Pollard is the correct respondent in this case. Rule 2(a), Rules Governing Section 2254 Cases.

Finally, Neisler moves for the appointment of counsel. This motion [ECF No. 4] is **DENIED** without prejudice. At this early stage in the proceedings, Neisler appears competent to litigate on his own behalf. *Jackson v. Kotter*, 541 F.3d 688, 700 (7th Cir. 2008).

Dated at Milwaukee, Wisconsin, this 12th day of August, 2013.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge